

In re Patent Application of:
ROGER MORRIS
Serial No. **10/799,312**
Filing Date: **03/12/2004**

REMARKS

Applicant and the undersigned would like to thank the Examiner for his efforts in the examination of this application and for allowability of Claims 66 and 67.

Claims 57-62, 65 and 67 remain in the case. Claims 32-51, 63, 64, and 66 are canceled without prejudice.

Claims 42 and 50 were rejected under 35 U.S.C. §112, second paragraph.

Claims 57-62 were rejected under 35 U.S.C. §102 as being anticipated by Miller patent publication. Claims 32, 36-39, 43, 44, 46, 57, 61, and 62 were rejected under 35 U.S.C. §102 as being anticipated by Lampotang '687.

Claims 64 and 65 were rejected under 35 U.S.C. §103(a) as being unpatentable over Miler in view of Azar patent publication. Claims 32,33, 36-39, 42 and 47-51 were rejected under 35 U.S.C. §103(a) as being unpatentable over Freadman '761 in view of Lampotang '687. Claim 40 was rejected under 35 U.S.C. §103(a) as being unpatentable over Freadman '761 in view of Lampotang '687 and further in view of Shurben '565, with Claim 41 further rejected in view of Perlman '752. Claims 43-46 were rejected under 35 U.S.C. §103(a) as being unpatentable over Freadman '761 in view of Lampotang '687 taken further in view of Wolfbeis '829. Claims 34 and 35 were rejected under 35 U.S.C. §103(a) as being unpatentable over Freadman '761 in view of Lampotang '687 taken further in view of the Miller publication.

Claims 32-51 and 57-65 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting based on Application No. 10/659,222 in view of Lampotang '687.

Claims 66 and 67 were identified as including allowable subject matter and as being allowable if rewritten in independent form.

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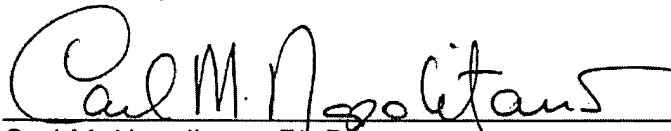
As above described, Claims 57-62, 65, and 67 remain in the case. Independent Claim 57 is amended to include the allowable subject matter of dependent Claim 66 and intervening dependent Claims 63 and 64. Dependent Claims 65 and 67 are amended to depend from amended Claim 57.

U.S. Patent Application Serial No. 10/659,222 is abandoned.

As above stated, the cancellation of Claims 32-51, 63, 64, and 66 is made without prejudice and in the interest of bringing the instant application to a timely issued patent. Continuing applications are currently planned to address original claims withdrawn and rejected on prior art.

Applicant respectfully submits that the above amendments place this application in a condition for allowance, and passage to issue is respectfully solicited. The Applicant and the undersigned would like to again thank the Examiner for his efforts and guidance provided in the examination of this application. If the further prosecution of the application can be facilitated through telephone interview between the Examiner and the undersigned, the Examiner is requested to telephone the undersigned at the Examiner's convenience.

Respectfully submitted,



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